

REMARKS

Claims 1-20 are all the claims pending in the application.

I. Statement of Substance of Interview

On March 30, 2006, Applicant's representative, Bhaskar Kakarla, contacted the Examiner by telephone to request clarification of Advisory Action. Examiner provided the Interview Summary of April 4, 2006. No agreement was reached.

II. Claim Rejections

The Examiner has rejected claims 1-16, 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Takeo (6,075,877) in view of Hiyama (6,269,379). For at least the following reasons, Applicant traverses the rejection.

Claim 1 recites an image data handling method that comprises "adding combination information to the low-energy image data set and the high-energy image data set that identifies in each data set at least one other image data set."

The Examiner concedes that Takeo is silent on the concept of linking¹ files by using combination data, but applies Hiyama to allegedly cure the deficiency.

However, in applying Hiyama, the Examiner concedes that Hiyama also does not disclose the concept of using combination data to link files, but contends that identification data may be stored in an image file. (Interview Summary at pages 3-4.)

¹ The Examiner states that a link is a "physical connection between two files. This may be implemented using pointers, or a data structure attached to a file." (Interview Summary at page 3.) Applicant notes that the term "link" is used by the Examiner when construing the claimed adding combination information. Applicant does not necessarily agree that the claimed adding combination data is limited to the Examiner's definition of "link."

Applicant submits that, for at least the reasons given below, Takeo and Hiyama (taken alone or in combination) do not disclose or suggest “adding combination information to the low-energy image data set and the high-energy image data set that identifies in each data set at least one other image data set,” as set forth in claim 1.

The Examiner contends that Takeo must have some have some kind of relationship between files. However, the Examiner still concedes that “all relationships are not links” that provide a “physical connection between two files.” (Interview Summary at page 3.) As best understood, to provide the “physical links,” the Examiner speculates that a group of high-energy, low-energy and subtraction data sets could have the same examination ID 71 as disclosed by Hiyama.

Hiyama, at most, discloses that a plurality of consecutive images may have the same examination identification number (examination ID 71) as part of the management information in the image file (col. 7, lines 1-5). Presumably, the examination ID 71 is one of the parameters that an operator on conference unit 6 can input to retrieve desired image files (see Fig. 7 and related text). However, merely providing the same examination identification number to a group of image files does not add combination information to “the low-energy image data set and the high-energy image data set that identifies in each data set at least one other image data set.” That is, there is no information in the examination ID 71 that would identify another image file in the current image file. In fact, there is no information within the current image file of Hiyama that would indicate that other image files even exist, let alone identifying the other image file in the current image file.

Thus, even based on the Examiner's definition of a "link," Hiyama also does not disclose a pointer or a data structure attached to a file that provides a physical connection between two files. Accordingly, Applicant submits that Hiyama does not disclose or suggest the claimed adding of combination information.

The Examiner's speculation that the region code 76 and the position code 77 as disclosed by Hiyama could be modified to identify each data set as a high-energy, low-energy or subtraction (Final Office Action at page 2), even if accurate, is not relevant to the issue at hand. The issue is whether the prior art provides the suggestion to modify the system of Takeo to provide such information in its image files. Here, Takeo and Hiyama (taken alone or in combination) do not disclose or suggest "adding combination information ... that identifies in each data set at least one other image data set," as set forth in claim 1.

The only suggestion of modifying Takeo to add such combination information comes from the Examiner's speculation of how codes 76 and 77 can be modified to meet the claim limitations, not from any disclosure in the prior art. Therefore, the source for the Examiner's suggested modification can only be from Applicant's specification.

Accordingly, Applicant submits that the Examiner has failed to make a *prima facie* case of obviousness since the Examiner's proffered reason for combining the references is based on improper hindsight.

Because the Examiner's contentions in the rejection of claims 2-4 and 12 is similar to that given above for claim 1, Applicant submits that these claims are patentable for at least reasons similar to those given above with respect to claim 1.

Applicant submits that the remaining claims are patentable at least by virtue of their respective dependencies.

The Examiner has rejected claims 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Takeo in view of Hiyama and Cabrera *et al.* (US 6,029,160). For at least the following reason, Applicant traverses the rejection.

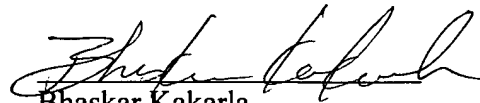
Because Cabrera does not cure the deficient teachings of Takero in view of Hiyama given above with respect to claims 1 and 4, Applicant submits that claims 17 and 18 are patentable at least by virtue of their respective dependencies.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

Date: August 28, 2006